

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Heinrich Bauschulte et al.  
Serial No: 10/004,154  
Filed: 10/30/2001  
Title: Cutting or Breaking Tool as well as Cutting Insert for the Latter  
Examiner: Willmon Fridle Jr.  
Art Unit: 3722

**Commissioner for Patents**  
**Alexandria, VA 22313-1450**

**AMENDMENT**

In response to the office action dated 3/21/2008, applicant submits the following:

**REMARKS**

Claims 8-28 are pending in the application and stand rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over the claim 1-16 of the US patent 6.354,771. In order to overcome this rejection, a terminal disclaimer is being filed herewith.

**CONCLUSION**

In view of the foregoing, it is submitted that this application is now in condition for allowance and such allowance is respectfully solicited. Should the Examiner have any further objections or suggestions, the undersigned would appreciate a phone call or e-mail from the examiner to discuss appropriate amendments to place the application into condition for allowance.

Authorization is herewith given to charge any fees or any shortages in any fees required during prosecution of this application and not paid by other means to Patent and Trademark Office deposit account 501199.

Respectfully submitted on June 20, 2008,

/Gudrun E. Hockett/

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